

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

DeANDRE TAHARKA DAVID WILLIAMS,

Plaintiff,

-against-

9:05-CV-1567  
(LEK/DEP)

MR. GOORD, *et al.*,

Defendants.

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**DECISION AND ORDER**

This matter comes before the Court following a Report-Recommendation filed on March 2, 2007, by the Honorable David E. Peebles, United States Magistrate Judge, pursuant to 28 U.S.C. § 636(b) and L.R. 72.3(c) of the Northern District of New York. Report-Rec. (Dkt. No. 35).

Within ten days, excluding weekends and holidays, after a party has been served with a copy of a Magistrate Judge's Report-Recommendation, the party "may serve and file specific, written objections to the proposed findings and recommendations," FED. R. CIV. P. 72(b), in compliance with L.R. 72.1. No objections have been raised in the allotted time with respect to Judge Peebles's Report-Recommendation. Furthermore, after examining the record, the Court has determined that the Report-Recommendation is not subject to attack for plain error or manifest injustice.

Accordingly, it is hereby

**ORDERED**, that the Report-Recommendation (Dkt. No. 35) is **APPROVED** and **ADOPTED** in its **ENTIRETY**; and it is further

**ORDERED**, that the Order granting Plaintiff *in forma pauperis* status (Dkt. No. 5) is **VACATED**; and it is further

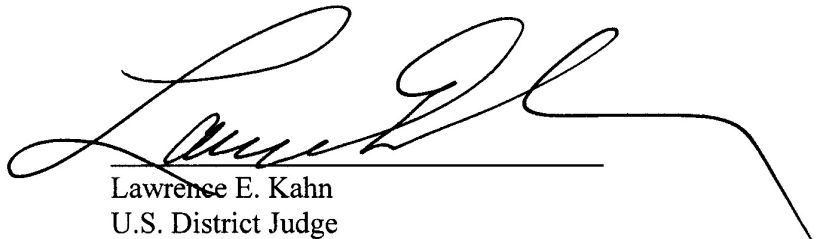
**ORDERED**, that Defendants' Motion to dismiss (Dkt. No. 28) is **GRANTED** as to all Defendants and all claims unless **Plaintiff pays the full filing fee of \$250.00 WITHIN THIRTY DAYS** after the entry of this Order; and it is further

**ORDERED**, that Plaintiff's Motion for preliminary injunction (Dkt. No. 21) is **DENIED WITHOUT PREJUDICE TO RENEW** in the event that the required filing fee is paid; and it is further

**ORDERED**, that the Clerk serve a copy of this Order on all parties.

**IT IS SO ORDERED.**

DATED: March 29, 2007  
Albany, New York



Lawrence E. Kahn  
U.S. District Judge